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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,571	10/26/2001	William E. Mazzara JR.	GP-301314 2760/11	4964

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EXAMINER

JAMAL, ALEXANDER

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,571

Applicant(s)

MAZZARA, WILLIAM E.

Examiner

Alexander Jamal

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-17** rejected under 35 U.S.C. 102(e) as being anticipated by Seppanen (6330442).

As per **claim 1**, Seppanen discloses a cell phone system performing the method comprising the step of initiating communication with a base station and receiving an SID code from the base station (registering) (Col 8 lines 20-40). A further step (Fig. 3 steps D,E,G,H) comprises dialing a number and then determining any necessary call prefixes required by the registered base station based upon the information in memory 24 (Fig. 2). The appropriate prefixes are then appended, and the calling signal is send to the base station (Fig. 3 steps I, J).

As per **claim 5**, claim rejected for the same reasons as the claim 1 rejection. The means (in the cell phone of Fig. 2) are provided to perform the storing (Database is memory 24 in Fig. 2), dialing, registering, receiving the SID code, accessing the database, modifying the dialed number, and connecting to the registered base station as per the claim 1 rejection.

Art Unit: 2643

As per **claim 10**, claim rejected for the same reasons as the claim 1,5 rejections.

The phone inherently comprises the software to perform the steps of the claim 1,5 rejections for the purpose of controlling the cell phone hardware.

As per **claim 15**, claim rejected for same reasons as the claim 1,5 rejections.

Seppanen discloses an embodiment where the database is stored at the base station, and the prefix selection and appending is performed at the base station (Col 16 lines 16-41, Col 17 lines 10-37).

As per **claim 16**, claim rejected for the same reasons as the claim 1,5,15 rejections. The means are disclosed to perform the steps of the method.

As per **claim 17**, claim rejected for the same reasons as the claim 16. The system inherently comprises the software to perform the steps of the claim 1,5 rejections for the purpose of controlling the hardware that performs the steps of the method.

As per **claims 2,6,8,11,13**, the system defines one field in the database as SWDB#1 used to associate the correct prefixes to the correct dialed numbers (Col 23 line 55 to Col 24 line 8). The art further discloses the SWDB#1 field may comprise SID codes (Col 24 line 63 to Col 25 line 20).

As per **claim 3,7,12**, the system may search among a range of numbers defined by the SWBD#1 (Col 24 lines 8-25).


Art Unit: 2643

As per **claim 4,9,14**, claim rejected for same reasons as the claim 3 rejection. In the case that the code being searched for is one of the endpoints of the predetermined range of codes, the system will check the code compared to each number at the endpoints of the range (searching for the code). If the code is not found at the end points, the entire range will be searched to see if the code is encompassed by the range.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 703-305-3433. The examiner can normally be reached on M-F 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 703-305-4708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9315 for After Final communications.

AJ
February 3, 2005


CURTIS KUNTZ
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 2600